

OGC 77-4873  
1 August 1977

MEMORANDUM FOR: Special Assistant to the Deputy to the DCI  
for the Intelligence Community  
Administrative Officer, DCI  
Chief, Information and Privacy Staff/DDA

STATINTL

FROM : [REDACTED]  
Office of General Counsel

SUBJECT : Intelligence Community Staff Supplemental Personnel  
(Soft) Files

REFERENCES : A. Memo from AO/DCI to C/IPS, 21 April 1977,  
same subject, Tab A  
B. Memo from SA-D/DCI/IC to OGC, 28 July 1977,  
same subject, Tab B

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1. In Reference A [REDACTED] has stated his opinion that the supplemental personnel files of the IC Staff should be declared as an additional system of Agency records under the requirements of the Privacy Act. In Reference B [REDACTED] has declared the position of the D/DCI/IC that if such a separate record system is required "it should be part of the CIA record system and provided to the ICS as a CIA service of support." These positions are not in conflict.

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2. [REDACTED] position is based on the fact that these IC Staff files are now located at the IC Staff Building and are no longer subject to his supervision regarding use and access. As the designated DCI area systems manager of the system of records designated as CIA-28, "Supplemental Personnel (Soft) Files," in the Federal Register by the Agency, he is charged with fulfilling the access, disclosure, and accounting obligations imposed on the Agency as to those records by Sections 552a(b), (c) and (d) of the Privacy Act. 5 U.S.C. §552a(e)(4)(f) The IC Staff files in question remain part of that system of records in spite of their relocation, both physically and administratively, from beyond the control of the DCI Administrative Office.

3. Currently, there are five identical notices in the Federal Register regarding such supplemental personnel file systems - one each for the DDI, DDS&T, DDA, DDO and the DCI area - designated CIA-24 through CIA-28. These IC Staff files will remain as part of the CIA records system generally subsequent to the publication of notice of such an additional system of records. The only real change will be that an IC Staff employee will be designated as the System Manager and will be the direct contact point of the Privacy Act Coordinator in regard to any Privacy Act requests concerning material in those files.

4. For this reason, the System Location should not be changed and only the identity of the System Manager requires modification. Also, it would appear there is no need to cite Executive Order 11905 since it does not expressly authorize such a personnel system and sufficient authority is derived from the present citations of law. The suggested form, with other minor revisions, is attached as Tab C. [redacted] of IPS, among others, is engaged in the process of revising the Agency's Federal Register Notice for republication. This project is scheduled for completion in August and he should be contacted directly concerning the possibility of incorporating such a notice as to these IC Staff files.

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Attachments

cc: IPS [redacted]

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